

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Okae et al.  
Appl. No.: 10/646,226  
Conf. No.: 1391  
Filed: August 22, 2003  
Title: POSITIVE ACTIVE MATERIAL AND NON-AQUEOUS ELECTROLYTE  
SECONDARY BATTERY  
Art Unit: 1745  
Examiner: A. Echelmeyer  
Docket No.: 112857-424

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NON-FINAL OFFICE ACTION**

Sir:

In response to the Office Action dated December 16, 2008, please consider the following arguments.

**The Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 7 of this paper.